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COUNSEL FOR PLTFF(S): ☒

COUNSEL FOR DFT(S): ☒

PLTFF PRO SE: \_\_\_\_\_

DFT. PRO SE: \_\_\_\_\_

DATE: 11/1/06

BY: NMM

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SIRIUS AMERICA INSURANCE COMPANY, :  
 :  
 : Plaintiff, :  
 : v. :  
 :  
 : SCPIE INDEMNITY COMPANY, :  
 :  
 : Defendant. :  
-----X

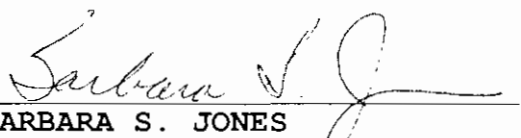
05 Civ. 7923 (BSJ) (GWG)

ORDER

**BARBARA S. JONES**  
**UNITED STATES DISTRICT JUDGE**

After having reviewed Magistrate Judge Gabriel W. Gorenstein's Report and Recommendation dated September 13, 2006, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). Accordingly, Defendant SCPIE Indemnity Company's motion to dismiss for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2) is DENIED.

SO ORDERED:

  
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
November 1, 2006

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